

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
v.)
DZHOKHAR A. TSARNAEV,)
Defendant)
Crim. No.13-10200-GAO
FILED UNDER SEAL
EX PARTE

SECOND SEALED NOTICE REGARDING ONGOING INVESTIGATION

The United States of America, by and through its undersigned counsel, respectfully submits this update on the investigation involving Stephen Silva. We last notified the Court of the status of this investigation on June 27, 2014.

On July 15, 2014, the grand jury returned a multi-count indictment charging Silva with distributing 100 grams or more of heroin and possessing a firearm with an obliterated serial number. A courtesy copy of the indictment is attached. The government delayed arresting Silva until the conclusion of jury deliberations in the trial of United States v. Azamat Tazhayakov. That jury reached a verdict in that trial yesterday, and Silva was arrested last night.

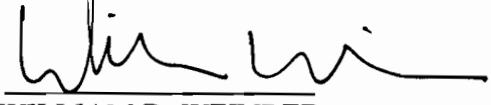
Although the indictment makes no mention of the use of the firearm to kill Officer Sean Collier, and the government hopes to avoid an evidentiary detention hearing at which that fact might become public, Silva's well-known status as one of Tsarnaev's close friends might lead the press to speculate about the firearm. Accordingly, even though the investigation into the gun remains ongoing, the government will provide discovery about the firearm to the defense in this

case in the coming week.

Respectfully submitted,

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